
STATUTORY INSTRUMENTS

1998 No. 1759

Education (Northern Ireland) Order 1998

PART VII

FINANCING OF SCHOOLS

CHAPTER III

MISCELLANEOUS FINANCIAL PROVISIONS RELATING TO SCHOOLS

Duties of boards in relation to maintained schools

70.—(1) Subject to and in accordance with regulations, [^{F1}the Authority][^{F2}shall, in relation to a maintained school,] be responsible for—

- (a) the maintenance of the school premises;
- (b) providing and replacing equipment;
- (c) employing in accordance with Article 88 of the 1986 Order persons, other than teachers, required in or about the school;
- (d) meeting the teaching costs of the school; and
- (e) meeting the cost of doing all such other things as may be necessary for the carrying on of the school, other than the cost of providing or altering the premises of the school.

(2) The responsibility of [^{F1}the Authority] under paragraph (1) does not extend to—

- (a) any part of the premises of a school used wholly or mainly for boarding purposes; or
- (b) meeting any costs incurred in carrying on such part.

(3) Paragraph (1) does not impose on [^{F1}the Authority] responsibility for any matter which under an approved contract entered into by the trustees of a maintained school is the responsibility of the contractor.

(4) The duty of [^{F1}the Authority] under paragraph (1)(d) to meet the costs of a redundancy payment in respect of a teacher ceasing to be employed on the staff of a maintained school is a duty to pay to—

- (a) the Council for Catholic Maintained Schools, where the teacher was employed on the staff of a Catholic maintained school; and
- (b) the Board of Governors of the school, in any other case,

a sum equal to the amount of the redundancy payment.

(5) [^{F1}The Authority] shall be responsible for meeting the costs of the trustees of a maintained school situated in its area on foot of an approved contract, and accordingly shall make grants to those trustees of amounts equal to those costs.

(6) Grants under paragraph (5) shall be made on such conditions (including conditions as to repayment) as [^{F1}the Authority] may determine with the approval of the Department.

Changes to legislation: Education (Northern Ireland) Order 1998, Section 70 is up to date with all changes known to be in force on or before 11 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(7) [^{F1}The Authority] shall pay to the Council for Catholic Maintained Schools an amount equal to the expenditure incurred or to be incurred by that Council in insuring against any liability for personal injury suffered by a teacher employed on the staff of a Catholic maintained school ^{F3} ... and arising out of and in the course of his employment by that Council.

(8) Any question which may arise as to the responsibility of [^{F1}the Authority] under this Article shall be referred to the Department whose decision thereon shall be final.

(9) In this Article “the teaching costs”, in relation to a maintained school, means the costs of—

- (a) the salaries and allowances of teachers employed on the staff of the school;
- (b) secondary Class 1 contributions under the Social Security Contributions and Benefits (Northern Ireland) Act 1992 and employers' superannuation contributions in respect of such teachers;
- (c) payments to which paragraph 7(1)(a) of Schedule 2 applies;
- (d) redundancy payments under the Employment Rights (Northern Ireland) Order 1996 in respect of teachers ceasing to be employed on the staff of the school.

(10) For the purposes of the Education Orders, a maintained school is maintained by [^{F1}the Authority] if [^{F1}the Authority] has the responsibilities mentioned in paragraph (1) in relation to the school.

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| F1 | Words in <i>Order</i> substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12) , Sch. 3 para. 1(1)(a) (with Sch. 2 para. 4(3) , Sch. 3 para. 1(2)); S.R. 2015/35, art. 2(b) |
| F2 | Words in art. 70(1) substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12) , Sch. 3 para. 20(6) (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b) |
| F3 | Words in art. 70(7) repealed (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12) , Sch. 4 (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b) |

Changes to legislation:

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order words substituted by [2014 c. 12 \(N.I.\) Sch. 3 para. 1\(1\)\(b\)](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 89A inserted by [2022 c. 45 s. 5](#)